

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ALESHA CARTER,

Plaintiff

Case No. 2:25-cv-00461-JAD-MDC

**ORDER**

v.

LVMPD-CCDC, et al.,

Defendants

On March 13, 2025, pro se plaintiff Alesha Carter, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. (ECF No. 1-1). There are a couple of errors with Plaintiff's filing. First, Plaintiff's application to proceed *in forma pauperis* is incomplete because she did not include a copy of her prison trust fund account statement for the previous six-month period. Second, Plaintiff did not sign her complaint. (ECF No. 1-1 at 15).

**I. DISCUSSION**

**A. Filing Fee**

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month**

1 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
 2 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
 3 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

#### 4 **B. Signed Complaint**

5 “A civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P.  
 6 3. “A civil-rights complaint filed by a person who is not represented by an attorney must  
 7 be submitted on the form provided by this court or must be legible and contain  
 8 substantially all the information called for by the court’s form.” Nev. Loc. R. Prac. LSR 2-  
 9 1. And the complaint must be signed personally by the unrepresented party. Fed. R. Civ.  
 10 P. 11(a).

11 The Court cannot consider the original complaint because Plaintiff did not  
 12 personally sign it. If Plaintiff wants to proceed with this action, Plaintiff must file an  
 13 amended complaint that is signed personally by the Plaintiff. Plaintiff is advised that an  
 14 amended complaint replaces the original complaint, so the amended complaint must be  
 15 complete in itself. See *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d  
 16 1542, 1546 (9th Cir. 1989). This means the amended complaint must contain all claims,  
 17 defendants, and factual allegations that Plaintiff wishes to pursue in this action. The  
 18 submission of a mere signature page will not be enough. Moreover, Plaintiff should file  
 19 the amended complaint on this Court’s approved civil-rights form, and it must be titled  
 20 “First Amended Complaint.”

#### 21 **II. CONCLUSION**

22 It is therefore ordered that Plaintiff has **until June 24, 2025**, to accomplish the  
 23 following two items:

- 24 1) File an amended complaint that is signed by Plaintiff using the correct form for  
 25 federal court.
- 26 2) File a copy of the inmate’s prison trust fund account statement for the previous six-  
 27 month period.

1 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
2 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
3 to refile the case with the Court, under a new case number, when Plaintiff can file a signed  
4 complaint and a complete application to proceed *in forma pauperis* or pay the required  
5 filing fee.

6 The Clerk of the Court is directed to send Plaintiff: (1) this Court's approved 42  
7 U.S.C. § 1983 complaint form with instructions, and (2) this Court's approved form  
8 application to proceed *in forma pauperis* for an inmate with instructions.

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10 DATED: April 25, 2025

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14 UNITED STATES MAGISTRATE JUDGE  
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